

USSN 09/700,901Docket No. 158-P-C1553US**Remarks**

Applicants thank the Examiner for extending to the undersigned attorney the courtesy of a telephonic interview on August 5, 2003. The 35 USC §102(b) rejection and the cited reference to U.S. Patent No. 3,639,315 (Rodriguez) were discussed but no agreement was reached. Applicants are refiling the application so that the Examiner can consider the present claim amendments and experimental evidence that will be submitted shortly in a Rule 132 Declaration.

Claims 1, 4, 7 and 8 have been amended and new claims 11 – 20 have been added. Antecedent basis for the amendments and new claims can be found in the written description at, e.g., page 5, lines 21 – 22, page 6, lines 6 – 7 and page 7, line 11 through page 8, line 5. Following entry of this amendment claims 1 – 20 will be pending in this application.

Rejection under 35 USC §102

The rejection of claims 1-10 under 35 USC §102(b) as being anticipated by U.S. Patent No. 3,639,315 (Rodriguez) should be withdrawn. Rodriguez describes a urethane-modified version of the air-drying or baking single-component paints discussed at page 2, lines 21 – 27 of applicants' specification. Rodriguez modifies a hydroxyl-containing resin by reaction with an isocyanate to form "urethane-modified, water-dispersible resins" (see for example col. 1, lines 65-67, col. 4, lines 69 – 71 and col. 5, lines 59 – 60). The hydroxyl-isocyanate reaction is carried out "until substantially all of the organic isocyanate has reacted" (see for example col. 2, lines 16 – 19). The resulting product is a single-component paint that forms a stable dispersion in water (see for example col. 1, lines 57 – 62) and which can be stored in liquid form for long periods of time if it is not exposed to significant amounts of oxygen. When Rodriguez's single-component paint is applied in a thin film to a substrate, curing takes place by reaction of ambient oxygen with available double bonds in the unsaturated fatty acid portion of the water-dispersible resin. This reaction of ambient oxygen with the available double bonds is what Rodriguez refers to when he says that his products are "capable of air drying in a short time", see col. 1, lines 18 – 20.

Further Comments

A Rule 132 Declaration supplying further comments regarding Rodriguez and the 35 USC §102(b) rejection is being sent to inventor Kuhlmann in Germany and will be submitted

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after review and signature by Dr. Kuhlmann. Applicants request careful consideration of Dr. Kuhlmann's Declaration and passage of their application to the issue branch.

Respectfully submitted,

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